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10/016,001	12/10/2001	Ynjiun P. Wang	T075A/TELNP333US	3855

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EXAMINER

JEANTY, ROMAIN

ART UNIT PAPER NUMBER

3623

NOTIFICATION DATE DELIVERY MODE

11/19/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/016,001

Applicant(s)

WANG ET AL.

Examiner

Romain Jeanty

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,16-20,22,26,27 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2,4,16-20, 22, and 26-27, 31-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

### **Detailed Action**

1. This Final Office action is in response to the communication received on August 17, 2007. Claims 1-2, 4, 16-20, 22, 26-27, 31-34

### **Response to Arguments**

2. Applicant's arguments with respect to claims 1-2, 4, 16-20, 22, 26-27, 31-34 have been considered but are not persuasive.

Applicant asserted that Hudetz and Anderson fails to teach the claimed invention. Applicant further supported his assertion by arguing that Hudez fails to teach providing the demographic information of a customer, and applicant further argues that Anderson also fails to teach this claimed feature. Anderson fail to teach ...utilizing data packet information that transfers the information to the manufacturer. In response, the examiner respectfully disagrees. Anderson teaches a relational database system of consumer lists who request product information and utilize the consumer request information to target advertisements or promotions to the consumers. The consumer request information and demographic information are sent to the manufacturer so that the manufacturer can target the consumers. Incorporating this Anderson's teachings into Hudetz would provide manufacturers with the capability to market their products and provide incentives to the consumers.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 16-20, 22, and 26-27, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hudetz et al (U.S. Patent No. 5,978,773) in view of Anderson (U.S. Patent No. 5,974,396).

As to claim 1, Hudetz et al disclose:

selectively receiving identification information from a uniform product code (UPC) bar code symbol on a product through a transducer at a user terminal (i.e. receiving from a user's scanner/barcode reader) (col. 5 lines 10-29; col. 6, lines 26-32; col. 8, lines 38-43).

providing an associated table in a database between the UPC symbol data and an Internet web site address affiliated with the product manufacturer (col. 7, lines 17-28 and col. 7, lines 64 through col. 8, line 10);

loading the associated web site address to a computing device of the consumer for allowing the consumer to make a product information inquiry to said web site address

providing the associated web site address to a remote computing device of the consumer for allowing the consumer to make a product information inquiry to said web site address, (e.g., displaying a web page having a URL for the user to click on to make a product inquiry; col. 7, lines 45-57) and selectively receiving additional consumer queries to allow for further refining the information inquiry (col. 7, lines 1-48),

Hudetz et al do not explicitly disclose transmitting demographic information about the consumer to the product manufacturer that transfers the information inquiry to the manufacturer. Anderson in the same of endeavor, discloses a consumer application subsystem which provides a mechanism by which consumers provide various demographic and other characteristic information , and a retailer querying said relational database using selected criteria, accumulates data generated by the database in response to that query. Note col. 6, lines 24-48 of Anderson. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosure of Hudetz et al to include the teachings of Anderson. A person having ordinary skill in the art would have been motivated to use such combination in order to make business and marketing decisions based on that accumulated data.

As per claim 2, Hudetz et al disclose the bar code reader being provided at the user's terminal (see figure 1).

As per claims 16 and 21, Hudetz et al disclose:

Scanning identifying indicia on a product with a barcode (UPC) bar code symbol (col. 8, lines 38-43); and

Determining at least one web site address affiliated with the scanned product utilizing a Mapping Service Provider (See figure 8 element 224; col. 9, lines 14-22).

Providing product information to the consumer by requesting and loading a web page associated with the at least one web site address (See figure 3, element 92 and col. 9, lines 54-64).

Hudetz et al do not explicitly disclose transmitting demographic information about the consumer to the product manufacturer that transfers the information inquiry to the manufacturer.

Anderson in the same of endeavor, discloses a consumer application subsystem which provides a mechanism by which consumers provide various demographic and other characteristic information, and a retailer querying said relational database using selected criteria, accumulates data generated by the database in response to that query. Note col. 6, lines 24-48 of Anderson. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosure of Hudetz et al to include the teachings of Anderson. A person having ordinary skill in the art would have been motivated to use such combination in order to make business and marketing decisions based on that accumulated data.

As per claim 17, Hudetz et al further disclose wherein the identifying indicia is a uniform product code (UPC) (col. 6, lines 15-20).

As per claim 18, Hudetz et al further disclose wherein the Mapping Service Provider (MSP) employs a mapping function to match identifying indicia to a web site address from among a list of identifying indicia and web site address mappings residing in a storage device (col. 7, lines 29-42; col. 8, lines 47-63; col. 9, lines 5-13).

As per claim 19, Hudetz et al further disclose wherein the web page includes at least one link to a related web page (col. 9, lines 14-22).

As per claim 20, Hudetz et al show the domain name for the links. Thus, it infers that the domain name goes through a domain name server to translate it into the proper numerical addressing sequence use by the Internet (See figure 4; and col. 5, lines 55-65).

As per claims 22, and 34, Hudetz et al disclose:

Scanning identifying indicia on a product with a barcode (UPC) bar code symbol (col. 8, lines 38-43); and

Determining at least one web site address affiliated with the scanned product utilizing a Mapping Service Provider (See figure 8 element 24; col. 9, lines 14-22).

Providing product information to the consumer by requesting and loading a web page associated with the at least one web site address (See figure 3, element 92 and col. 9, lines 54-64).

Hudetz et al do not explicitly disclose transmitting demographic information about the consumer to the product manufacturer that transfers the information inquiry to the manufacturer. Anderson in the same of endeavor, discloses a consumer application subsystem which provides a mechanism by which consumers provide various demographic and other characteristic information , and a retailer querying said relational database using selected criteria, accumulates data generated by the database in response to that query. Note col. 6, lines 24-48 of Anderson. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosure of Hudetz et al to include the teachings of Anderson et al. A person having ordinary skill in the art would have been motivated to use such combination in order to make business and marketing decisions based on that accumulated data.

Regarding claims 27, and 31-33, the claimed features are standard practice in the marketing art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include such features in order to allow users to request and obtain product information, thereby increasing marketing sales for a manufacturer and allowing the manufactures to efficiently maximizing market profitability.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hudetz et al and Anderson et al as applied to claim 1 above, and further in view of Kaplan (U.S. Patent No. 5,963,916).

As per claim 4, the combination of Hudetz et al and Anderson does not explicitly disclose providing targeted e-mails to the consumer for product announcements by the manufacturer. Kaplan on the other hand, discloses sending a product notification to a user. Note column 16, lines 16-26. It would have been obvious to a person of ordinary skill in the art to modify the disclosures of Hudetz et al and Anderson et al to include an e-mail notification as taught by Kaplan with the motivation to encourage a user to purchase certain desired products from the manufacturer, thereby increasing marketing sales for the manufacturer.

### **Conclusion**

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

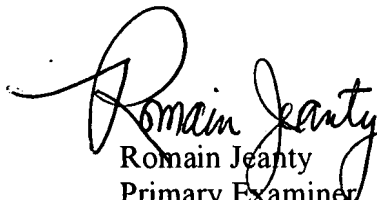


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 13, 2007

  
Romain Jeanty  
Primary Examiner  
Art Unit 3623